REMARKS

In an Office Action dated October 4, 2004, the Examiner objected to the drawing, which is missing one reference mark (reference mark 1) on Fig. 1. Applicants are submitting a red ink marked change and a final version of the drawing under a separate correspondence.

Applicants are also submitting corrected versions of the appropriate paragraphs of the specification in response to the Examiner's objection. The amendment aligns Fig. 1 with the description.

Applicants are amending the claims to meet the Examiner's objections, and to overcome the grounds for the rejections under 35 U.S.C. 112, second paragraph.

The Examiner rejected claims 1, 4-8, 9 and 12-16 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,738,647 (Link) and rejected claims 1-16 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,070,070 (Ladue) under 35 U.S.C. 102(e). Applicants are amending claims 1 and 9 to include the subject matter of claims 2 and 10, respectively, and canceling claims 2 and 10 and submit that the subject matter of claims 1 and 9, as amended, is not anticipated by either Link or Ladue.

Applicants' invention relates to arrangements for extending the protocol of IS-41 messages. In accordance with the prior art, such messages are broken down into indications of length and a series of "parameters" (effectively, operation codes) followed by data corresponding to the parameter. A substantial fraction of the total code space for defining the parameter is defined by the IS-41 standard but a portion of the code space is made available for specialized uses by the communicating entities of particular carriers. The problem is that this code space is limited so that if a particular mobile entity is required to communicate with a plurality of other mobile entities, and these other mobile entities each have their own special requirements and special parameter defining codes, that there is not enough space in the parameter defining code to accommodate the special requirements of all such entities. Furthermore, there is no standard arrangement so that a particular operation may be described by a different parameter defining code in different mobile entities. Applicants have inventively solved this problem by arranging that a mobile entity can speak in several dialects (claims 1 and 9) and that some mobile entities

can translate between different dialects (claims 3 and 11). Each dialect is a definition of the operations associated with a set of the non-standardized parameter defining codes.

In contrast, neither Link nor Ladue teach a facility wherein a single entity is capable of communicating in two different extended protocols (dialects) nor where a single entity is capable of translating between two different dialects, nor wherein a single entity is capable of communicating in more than one dialect within a single message by providing an instruction for switching dialects. This is the subject matter of original claims 2, 3 and 7. Applicants are amending the application to include the subject matter of claim 2 within claim 1 and canceling claim 2, and, for similar reasons, are amending claim 9 to include the subject matter of claim 10, and canceling claim 10. Claims 2 and 10 were only rejected under the teachings of Ladue. Accordingly, Applicants will concentrate on the grounds for the rejection of claims 2 and 10.

The Examiner rejected claims 2 and 10 over Ladue and cited column 15, lines 12-30. For the convenience of the Examiner, this passage is cited below:

> Referring to FIG. 4, another important embodiment of the invention is that the application specific data communicator 100b is specially configured to recognize the MIN contained in the CID message 172, in same way it receives an MIN in the conventional FOCC forward page protocol. The communicator 100b is designed to: detect and receive of the CID formatted MIN number, and (1) respond to the reception the CID-MIN, by creating an application specific status response data message, such as a modified Remote Feature Control Request data packet and transmitting it to an associated base site 129. Additionally, the communicator 100b is configured to detect FOCC extended protocols that are transmitted from cellular networks that are IS-54, and IS-136 TDMA compatible 196, and IS-95 CDMA compatible 197. Within these extended protocols are data bit provisions for transmitted caller I.D. information and other data such as message waiting indicators (MWI) that are manipulated by the invention to contain application specific data messages.

Applicants submit that this does not demonstrate that "at least one entity can communicate in at least two different extension portions of said protocol". Instead, it demonstrates capability for communicating with CDMA or TDMA; this can be done in the standard protocol or an extension portion for handling communications with all cellular base stations. There is no evidence here of the ability of one unit to communicate via a standard protocol and two separate extension portions.

The Examiner's argument for the rejection of claims 3 and 11 is also based on the above passage; Applicants submit that the subject matter of claims 3 and 11 (translation between protocols) is not taught by the above passage.
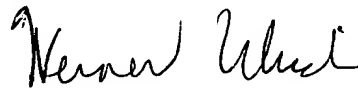
Accordingly, Applicants respectfully submit that the subject matter of claims 1 and 9, which now contain the cited subject matter, should be held allowable. All other claims are dependent from these two claims.

Applicants therefore respectfully request the Examiner to reconsider the rejection of claims 1, 3-9 and 11-16 as amended, allow the amended claims, and pass the application to issue.

If the Examiner feels that a telephone or fax contact would help to advance the prosecution of this application, the Examiner is invited to contact Applicants' attorney at 630 469-3575 to transmit a fax message or to speak with Applicants' attorney.

Respectfully submitted

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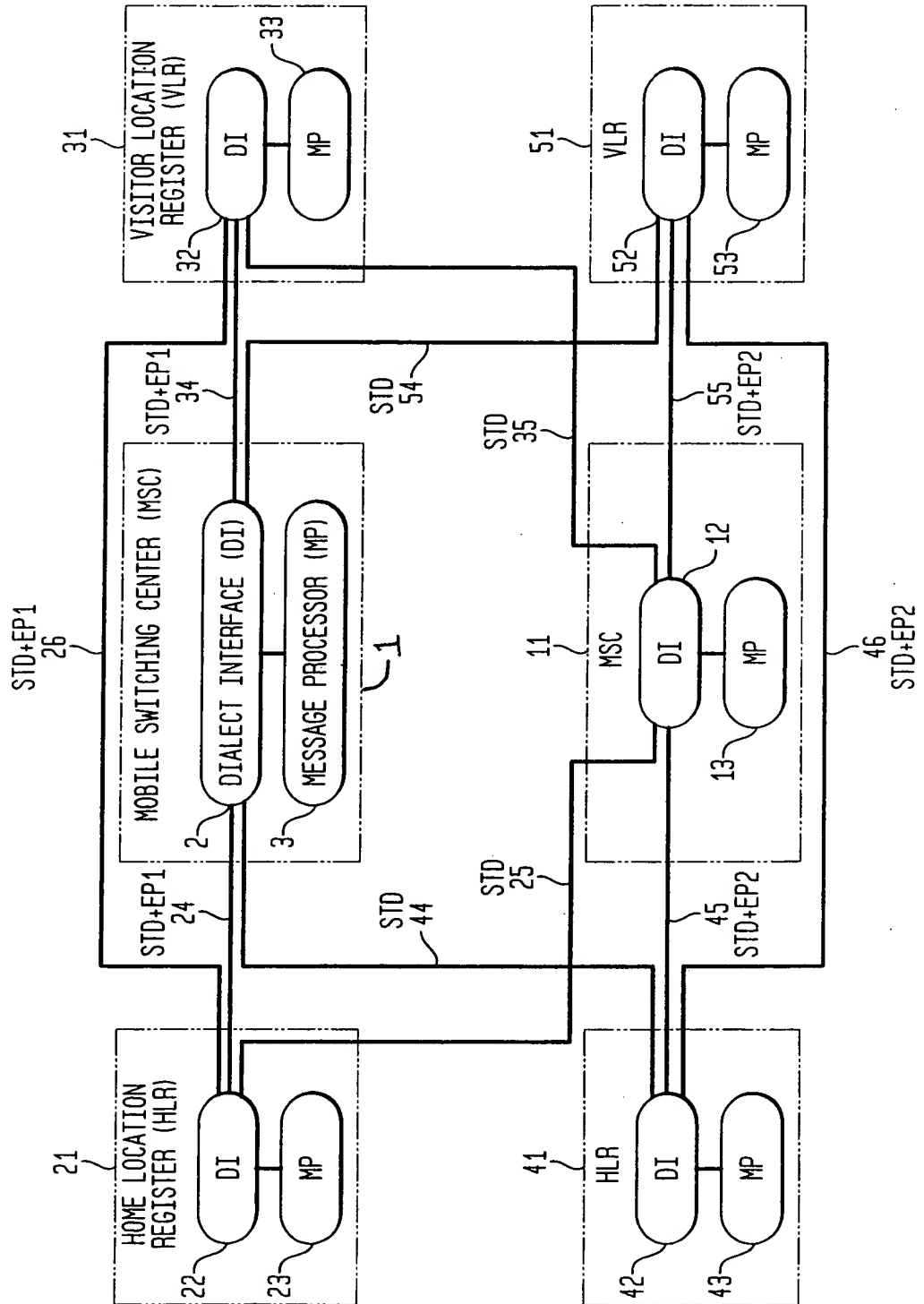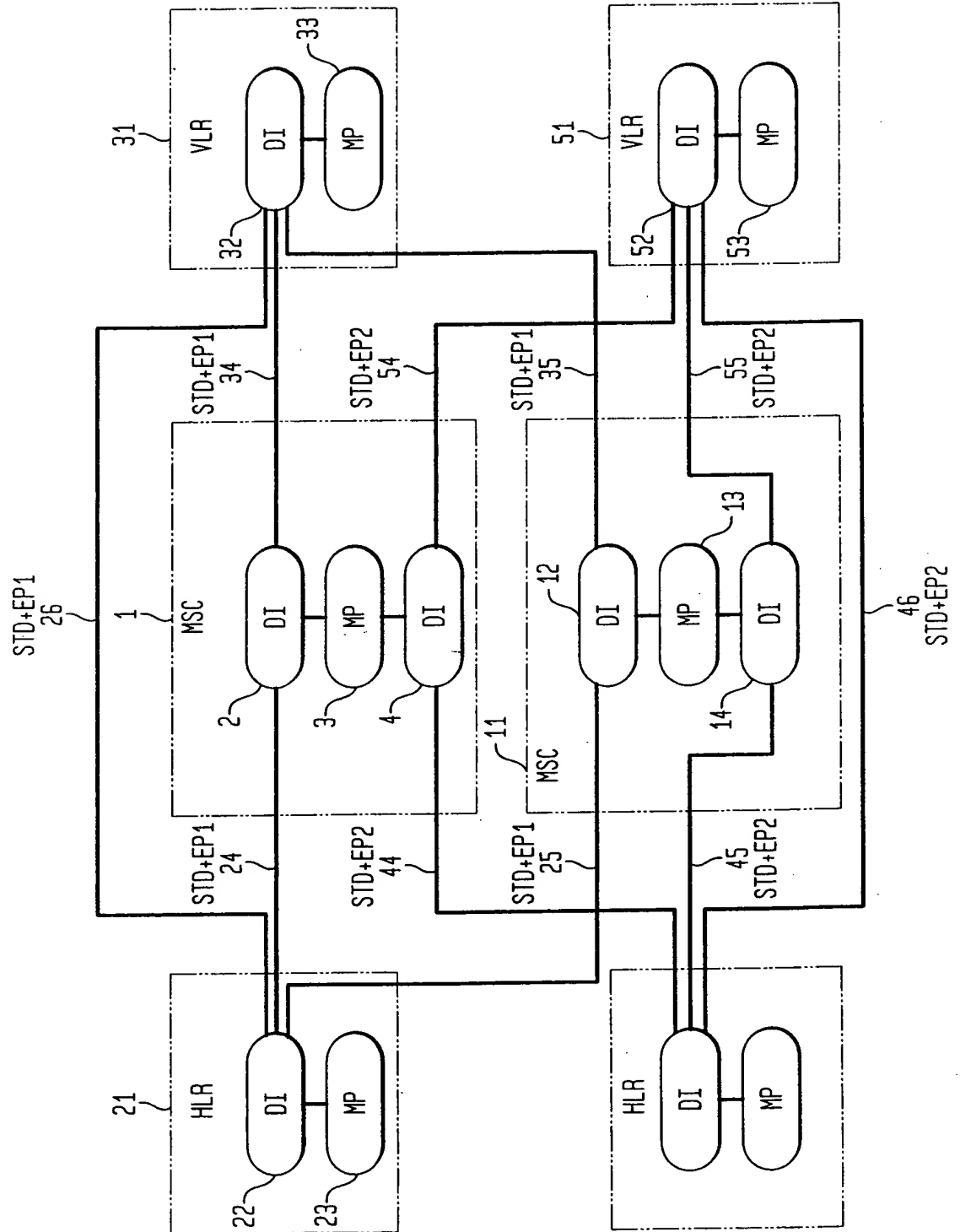Date: Dec, 30, 2004

FIG. 1
(PRIOR ART)

FIG. 2

FIG. 3

PARAMETER ENVELOPE
103

PARAMETER ENVELOPE
110

MESSAGE

| HEADER | OP CODE | PARAMETER CODE | LENGTH | DATA | - - - - - - - | PARAMETER CODE | LENGTH | DATA |

100   101   102   104   105   106   111   112   113